

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

COMMITTEE FOR A FAIR AND BALANCED)	
MAP, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	Case No. 11-C-5065
v.)	
)	Hon. John D. Tinder
ILLINOIS STATE BOARD OF ELECTIONS,)	Hon. Joan H. Lefkow
<i>et al.</i> ,)	Hon. Robert L. Miller, Jr.
)	(3-judge court convened pursuant to
)	28 U.S.C. § 2284)
Defendants.)	

PRE-HEARING ORDER

This matter coming before this Court and the parties having agreed to the content of this Order, **IT IS HEREBY ORDERED** pursuant to Federal Rule of Civil Procedure 16 and this Court's October 27, 2011 Order (Dkt. 100), that the following terms shall govern this Court's hearing on Plaintiffs' Motion for a Permanent Injunction (Dkt. 104):

I. Witnesses

A. Plaintiffs – The witnesses that Plaintiffs may call at trial:

1. Expert Witnesses:

a) Dr. Richard Engstrom – The topics addressed in Dr. Engstrom's expert reports and deposition in this matter, including but not limited to: an evaluation of Illinois congressional districts created in 2001; congressional districts created under P.A. 97-14; congressional districts proposed by Plaintiffs; analyses of voting patterns in Cook County and surrounding areas; and responding to the analyses offered by Defendants' experts.

b) Dr. Peter Morrison – The topics addressed in Dr. Morrison’s expert reports and deposition in this matter, including but not limited to: demographic data in Illinois and the Cook County and surrounding areas (in particular, from 1990 to the present); Census data and methodology; and responding to the analyses offered by Defendants’ experts.

c) Dr. Allan Lichtman – The topics addressed in Dr. Lichtman’s expert reports and depositions in this matter as well as Dr. Lichtman’s previous testimony and publications.

2. Non-Expert Witnesses:

- a) Lou Sandoval
- b) Ralph Rangel
- c) Michelle Caballero
- d) Luis Sanabria
- e) Representative Judy Biggert
- f) Representative Peter Roskam
- g) Representative John Shimkus
- h) Representative Donald Manzullo
- i) Representative Jerry Costello
- j) Edward Marshall

B. Defendants Will Call – The witnesses that Defendants will call at trial, including a description of the potential topics of expert witnesses, include:

1. Expert Witnesses:

a) Dr. Allan Lichtman – The topics addressed in Dr. Lichtman’s expert reports and depositions in this matter, and responding to the analyses offered and data considered by Plaintiffs’ experts.

b) Dr. Gerald R. Webster – The topics addressed in Dr. Webster’s expert report and deposition in this matter, and responding to the analyses offered and data considered by Plaintiffs’ experts related to geographic compactness.

2.. Non-Expert Witnesses:

a) Juan Rangel

b) Former U.S. Rep. William Lipinski

C. Defendants May Call – Depending on the testimony of the witnesses that Plaintiffs have indicated they “may” call, Defendants may call the following witnesses at trial:

1. Expert Witnesses:

a) Dr. Richard Engstrom – The topics addressed in Dr. Engstrom’s expert reports and deposition in this matter as well as Dr. Engstrom’s previous testimony and publications.

b) Dr. Peter Morrison – The topics addressed in Dr. Morrison’s expert report and deposition in this matter as well as Dr. Morrison’s previous testimony and publications.

2. Non-Expert Witnesses:

a) Representative Judy Biggert

b) Representative Robert J. Dold

c) Representative Randy Hultgren

- d) Representative Donald Manzullo
- e) Representative Peter J. Roskam
- f) Representative Bobby Schilling
- g) Representative Aaron Schock
- h) Representative John M. Shimkus
- i) CFBM 30(b)(6) Representative

D. Rebuttal Witnesses – The lists of witnesses above shall not preclude the Parties from calling rebuttal witnesses at the hearing.

II. Stipulations

The Parties will work to reach stipulations as to facts, documents (including hearing exhibits), and data by November 9, 2011.

III. Exhibits

- A. Plaintiffs' hearing exhibits are identified in **Exhibit A** attached hereto.
- B. Defendants' hearing exhibits are identified in **Exhibit B** attached hereto.

IV. Hearing Demonstratives & Summary Exhibits

The Parties shall identify demonstratives and summary exhibits that might be used at the hearing by November 15, 2011. Any objections thereto shall be raised with the Court prior to the commencement of the hearing on November 17, 2011.

V. Motions *In Limine*

The Parties shall file any motions *in limine* by November 10, 2011. Any memorandum in response to such motion shall be filed by November 15, 2011. Replies shall not be permitted.

Dated: November 7, 2011

Respectfully submitted,

By: /s/ Lori E. Lightfoot

By: /s/ Carl Bergetz

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Enter:



Date: **November 14, 2011**

Judge